

Message

From: Toffel, Melissa [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=648B455AF7334836AD8A8F4BDC4126B2-MTOFFEL]
Sent: 10/28/2019 7:30:12 PM
To: Ramalho, Louis [Ramalho.Louis@epa.gov]
Subject: FW: EPA Underground Storage Tank violations
Attachments: Tank RD table _1019_.docx

Ex. 5 AC / Ex. 7(A)

*Melissa Toffel, U.S. EPA Region III
Enforcement & Compliance Assurance Division
Air, RCRA & Toxics Branch
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From: Toffel, Melissa
Sent: Wednesday, October 16, 2019 1:53 PM
To: Tim Miller <tmiller@nationalpremiumbeer.com>
Cc: Ramalho, Louis <Ramalho.Louis@epa.gov>
Subject: EPA Underground Storage Tank violations

Mr. Miller,

Thanks for speaking with us today. As requested, here is a summary of the violations and windows of time that we are looking for information. Please provide any additional documentation you have as soon as possible. If you have any questions about what is being asked for, please call me at the number below.

Violations:

I – Tank Release Detection

- Please see the attached table I made with all the records that you have provided me thus far. Please fill in any gaps by sending me records for those months. Also, any month where a tank received an “Invalid” result does not count as conducting tank release detection for that month. A “Pass” or “Fail” result indicates that a tank release detection was performed. An “Invalid” indicates that the system was not able to run a test, which is usually due in part to there not being enough fuel in the tank to run a test.

II and III – Piping Release Detection

- For Tanks 1 and 3, please provide any Line Leak Detector and Line Tightness Testing that may have been conducted from 9/1/17 (when a test was due) – 3/23/18 (test provided)
- For Tanks 2, 4 and 5, please provide any Line Leak Detector and Line Tightness Testing that may have been conducted from 7/26/17 (when a test was due) – 3/23/18 (test provided)

IV and V – Failure to Report/Investigate a Release

- For Tank 3, you provided Veeder-Root tank release detection records that show that the tank received Fail results on 2/20/17 and 2/27/17. If you have any documentation to provide to show that you initiated

an investigation into the cause of the fails (i.e. emails to a contractor, contractor invoices, etc.), please provide that to me.

VI – Failure to test the Cathodic Protection System

- If the cathodic protection system had any testing done between 6/17/17 (when a test was due) until 2/1/18 (system tested), please provide that documentation to me.

Thank you,

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